

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

**DEFAULT JUDGMENT IN A CIVIL CASE**

**UNITED STATES OF AMERICA**

vs.

**CASE NUMBER: 5:09-CV-718 (FJS/DEP)**

**DIVERSIFIED T.E.S.T. TECHNOLOGIES, INC.; THOMAS P. SIMS; and  
ANNELLE FRIERSON**

**Decision by Court.** This action came to hearing before the Court.  
The issues have been heard and a decision has been rendered.

**IT IS ORDERED AND ADJUDGED**

That Plaintiff's Motion for Default Judgment in its entirety, granted as to defendant Diversified T.E.S.T. Technologies, Inc., in the amount of \$264,973.94 with respect to assessments for federal employment taxes for tax periods ending September 30, 2003, through March 31, 2005, and December 31, 2005 through December 31, 2008, plus interest on this amount, from January 22, 2010, until the date that the judgment is satisfied at the rate provided for in 28 USC § 1961(c)(1); granted as to defendant Thomas Sims in the amount of \$54,608.87 and granted as to defendant Annelle Frierson in the amount of \$54,608.87, both with respect to assessments for Trust Fund Recovery Penalties pursuant to 26 USC § 6672 for tax periods ending December 31, 2006 through December 31, 2007 and June 30, 2008, plus interest on this amount from January 22, 2010, until the date that the judgment is satisfied at the rate provided for in 28 USC § 1961(c)(1). Plaintiff's Motion for a Permanent Injunction is GRANTED for all the reasons stated herein with one exception, the Court will not require defendants to notify Revenue Officer Duffek of any new company that defendant Sims and/or defendant Frierson come to own or manage in the next five years.

All of the above pursuant to the Order of the Honorable Senior Judge Frederick J. Scullin, Jr. dated the 20<sup>th</sup> day of September, 2010.

DATED: September 20, 2010

The signature is handwritten in black ink, appearing to read "Lawrence L. Baum". Below the signature, the text "Clerk of Court" is printed in a smaller, sans-serif font.

s/

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Joanne Bleskoski  
Deputy Clerk